

Therefore, applicants herein elect with traverse claims 5 and 7, wherein the matrix components are homopolymers of N-vinylpyrrolidone (polyvinylpyrrolidone). Polyvinylpyrrolidone is used in examples 1 and 2 on pages 10-11 of the specification.

**Argument:**

Applicants herein distinctly and specifically point out errors in the restriction requirement as required by MPEP § 818.03(c). Applicants repeat below the argument made in the reply to restriction requirement filed on May 8, 2001.

The present invention relates to a pharmaceutical composition which comprises both at least one multiparticulate phase and a matrix phase. An essential feature is a matrix phase which is obtainable by a melt-extrusion process. All the matrix components of claims 5 and 7 are used to form a suitable matrix for the pharmaceutical composition. Therefore, the matrix components relate to a single invention.

Applicants believe that since the applicants made a *bona fide* attempt to advance the application to final action, and the reply of May 8, 2001 was substantially a complete reply to the non-final Office action, but consideration of some matter or compliance with some requirement was inadvertently omitted, applicants should be given a new time period for reply under § 1.134 to supply the omission. 37 CFR 1.134.

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Respectfully submitted,

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A handwritten signature in cursive script, appearing to read "HB Keil".

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